

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARTURO GUTIERREZ and CRISTINA  
GUTIERREZ,

No. C 11-03692 SI

## Plaintiffs,

V.

**WELLS FARGO BANK, N.A. ET AL,**

**ORDER TO SHOW CAUSE, REQUIRING  
FURTHER INFORMATION IN SUPPORT  
OF IFP APPLICATION, AND  
VACATING THE HEARING  
SCHEDULED FOR FEBRUARY 3, 2012**

## Defendant.

Plaintiffs Christina and Arturo Gutierrez, acting pro se, commenced this action on July 27, 2011, seeking injunctive and declaratory relief and to quiet title. Plaintiffs' complaint arises from their alleged receipt of a "Notice of Intent to Foreclose" from defendant mortgage lender. Compl. ¶ 18.

Defendants have filed a motion to dismiss plaintiffs' complaint, which currently scheduled for a hearing on Friday, February 3, 2012. Responses were due by December 7, 2011. Plaintiffs did not file a response, or otherwise contact the Court in any way. Therefore, the hearing on the motion to dismiss, scheduled for February 3, 2012, is hereby VACATED. **Plaintiffs are ORDERED TO SHOW CAUSE in writing, to be filed on or before February 14, 2012, why they have not filed any opposition papers, and whether they plan to pursue this action any further.** Plaintiffs are advised that if they do not file a satisfactory response, their action may be dismissed without prejudice for failure to prosecute. See Rule 41(b), Federal Rules of Civil Procedure.

## **IT IS SO ORDERED.**

Dated: January 31, 2012

Susan Blston

**SUSAN ILLSTON**  
United States District Judge